

REMARKS

Claims 1-12 are pending. Claims 10-12 are new. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

The patent to Adam *et al.* (US 5,528,093), which is applied against claim 7 in paragraph 9 of the office action, has not been recorded on a form PTO-892. The applicants request that the examiner cite this reference on a form PTO-892.

The examiner did not consider Japanese reference JP-U-H04-80260 for the reason that a copy was not included. The filing transmittal indicates that a copy was sent to the USPTO with the national stage request on 7 April 2005. Nevertheless, a copy of JP-U-H04-80260 is attached along with an English abstract.

The applicants respectfully request that another copy of the form PTO-1449 on which the attached Japanese reference is listed be sent with the examiner's initials to indicate that this reference has been considered.

Claims 1-9 were rejected under 35 USC 112, second paragraph, as being indefinite. The applicants respectfully request that this rejection be withdrawn for the following reasons.

In paragraph 3 of the office action, several phrases were identified as being indefinite. Each of these phrases has been removed or clarified. Therefore, claims 1-9 are considered to be definite, and withdrawal of this rejection is requested.

Claims 1-3, 5, 6, 8 and 9 were rejected under 35 USC 102(b) as being anticipated by Adam *et al.* ('315). The applicants respectfully request that this rejection be withdrawn for the following reasons.

Claim 1 recites a connector that supplies power from an external source to the brushes through a connecting portion of the connector, which is directly joined to the connecting portion of the brush holder at a location radially outward of an opening of the yoke housing to make electrical and mechanical connection with the connecting portion of the brush holder. When the connecting portion of the brush holder and the connecting portion of the connector are directly joined at the claimed location, the connecting portions can be effectively clamped between the yoke housing and the gear housing to secure the electrical and mechanical connection.

In Adam *et al.* (US 5,444,315), the connecting portion (81/82) of the brush holder (8) and the connecting portion (61/62) of the connector (3) are joined within the opening of the yoke housing (1). Therefore, the connecting portions of Adam *et al.* (US 5,444,315) are not joined "at a location radially outward of an opening of the yoke housing," as claimed. Thus, the language of claim is not satisfied by Adam *et al.* (US 5,444,315), and the above-described advantage of the invention of claim 1 cannot be achieved by the apparatus of Adam *et al.* (US 5,444,315). Therefore, claim 1 and its dependent claims should be patentable.

Claim 9 recites limitations similar to those of claim 1 discussed above. Thus, claim 9 should be patentable for the reasons given with respect to claim 1.

Claims 1, 2, 4 and 6-9 were rejected under 35 USC 102(e) as being anticipated by Matsuyama *et al.* The applicants respectfully request that this rejection be withdrawn for the following reasons.

One of the priority dates of the present application is 19 November 2002 (See Japanese priority application 2002-334797). The 102(e) date of the Matsuyama *et al.* patent is 16 September 2003, which is later than the priority date of 19 November 2002. Therefore, the applicants are attaching a translation of Japanese priority application 2002-334797 to perfect the priority date. Since the applicants have established a priority date that predates the filing date of Matsuyama *et al.*, the patent to Matsuyama *et al.* is not prior art. Consequently, this rejection should be withdrawn.

Claim 4 was rejected under 35 USC 103(a) as being unpatentable over Adam *et al.* ('315) in view of Sekine *et al.* The applicants respectfully request that this rejection be withdrawn because claim 4 depends on claim 1 and is thus considered to be patentable for the reasons given above with respect to claim 1.

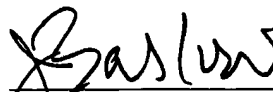
Claim 7 was rejected under 35 USC 103(a) as being unpatentable over Adam *et al.* ('315) in view of Adam *et al.* (US 5,528,093). The applicants respectfully request that this rejection be withdrawn because claim 7 depends on claim 1 and is thus considered to be patentable for the reasons given above with respect to claim 1.

Claims 10-12 are new. Claims 10-12 depend on claim 1 and are therefore considered to be patentable at least for the reasons given above with respect to claim 1.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James E. Barlow", written over a horizontal line.

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